

REMARKS

Claims 4-10 are presently in the application. Claims 1-3 have been canceled.

The specification and claims have been amended as suggested by the examiner to overcome the objections and rejections under 35 U.S.C. 112, second paragraph.

The examiner's indication of allowable subject matter in claims 5-10 is greatly appreciated. Claims 5, 7 and 9 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, claims 5-10 are now in allowable condition.

Reconsideration of the rejection of claim 4 under 35 USC 102(e) as anticipated by Ibamoto et al is respectfully requested.

To support a rejection of a claim under 35 U.S.C. 102, it must be shown that each element of the claim is found, either expressly described or under principles of inherency, in a single prior art reference. See Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026 (1984).

The examiner's reasons for the rejection relies on Fig. 12 of Ibamoto et al. Turning to Fig. 12 of Ibamoto et al, if shaft 7 is the first claimed shaft and shaft 8 is the second claimed shaft, claim 4 cannot be read on Ibamoto et al. Claim 4 recites a "first shaft being driven at a rotational velocity V, a gear system interconnecting said first and second rotating shafts and for driving the second rotating shaft at a rotational velocity which is approximately .5V."

At Para. [0075], Ibamoto et al teaches that “[o]n the shaft 8 are provided assist gears 55, 56, 57 and 58, each having the gear ratio corresponding to 1.5th speed, 2.5th speed, 3.5th speed and 4.5th speed, respectively.” At [0076], Ibamoto et al teaches that:

The transmission control shown in FIG. 12 can be controlled by an algorithm being completely same to that of the skip shift explained by referring to the FIGS. 8 to 11. Herein, the 1→3 transmission should be changed to 1→2 transmission, and as the intermediate, the 2nd position speed be replaced by 1.5th speed, only. The operation in the torque transition/revolution speed transition is shown in FIG. 13, when changing gear 1→2 by means of the motor. This operation is, from another viewpoint, equivalent to that the 5 speed transmission shown in the FIG. 2 or 3 is expanded to the 9 speed transmission, in which the gear can be changed by a unit of half step and the skip shift is conducted always. However, with doing so, it is possible to obtain a great effect, as will be mentioned below.

Thus, it is very clear that if the engine 1 rotates shaft 7 at rotational velocity V and the dog clutch 9 and 59 are engaged, shaft 8 has a rotational velocity $1.5V$, not $.5V$ as required by claim 4. Therefore, claim 4 is not anticipated by Ibamoto et al.

On the other hand, if shaft 8 is the first claimed shaft and shaft 7 is the second claimed shaft, claim 4 still cannot be read on Ibamoto et al. Claim 4 recites a “first shaft being driven at a rotational velocity V , a gear system interconnecting said first and second rotating shafts and for driving the second rotating shaft at a rotational velocity which is approximately $.5V$.” The examiner will see from a reading of the reference that shaft 8 does not drive shaft 7. To the contrary, Ibamoto et al clearly teaches that shaft 7 drives shaft 8. Therefore, shaft 7 must be the first shaft. It cannot be the second shaft.

Further, if the engine 1 rotates shaft 7 at rotational velocity V , depending on which clutch is engaged, shaft 8 will be rotated at $1.5V$, $2.5V$, $3.5V$ or $4.5V$. See, para. [0075]. In other words,

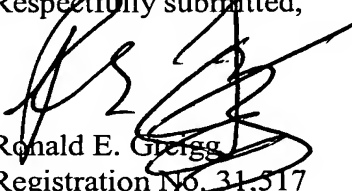
Appl. No. 10/502,532
Amdt. dated Nov. 17, 2006
Reply to FINAL Office Action of Aug. 8, 2006

the rotational velocity of shaft 7 (the second shaft) is never .5 or ½ of the rotational velocity of the shaft 8 (the first shaft). Thus, claim 4 is not anticipated by Ibamoto et al.

Please charge the fee for any excess independent claims and any necessary extension of time to deposit account No. 07-2100.

Entry of the amendment and allowance of the application are respectfully requested.

Respectfully submitted,



Ronald E. Greigg
Registration No. 31,317
Attorney for Applicants
CUSTOMER NO. 02119

GREIGG & GREIGG, P.L.L.C.
1423 Powhatan Street, Suite One
Alexandria, VA 22314
Tel. (703) 838-5500
Fax. (703) 838-5554

REG/JFG/hhl

J:\Cavichioni\Reply to 8-8-06 FINAL OA.wpd